

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

JASON BENJAMIN,

Defendant.

15 Cr. 445-5 (PAE)

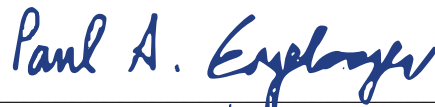
ORDER

PAUL A. ENGELMAYER, District Judge:

The Court has received the attached letter from Jason Benjamin regarding his access to discovery in his case. This letter was written prior to the Court's order at docket 1166 directing Benjamin's earlier inquiry along these lines to Benjamin's counsel. The recent letter indicates that Benjamin has been unable to access all the discovery in his case, which resulted in a guilty plea, which evidence Benjamin surmises may reveal the existence of undisclosed exculpatory evidence. Benjamin's court-appointed attorneys, Louis V. Fasulo, Esq., and Samuel M. Braverman, Esq., are directed to contact Benjamin regarding these claims and this request, and, by March 12, 2021, file a letter indicating what—if any—relief is being sought from the Court.

The Clerk of Court is respectfully directed to mail a copy of this order to Benjamin.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: March 1, 2021
New York, New York

Jason Benjamin
Reg. No. 22954-052
FCI - Allenwood
P.O. Box 2000
White Deer, PA 17887

February 15, 2021

Honorable Judge Paul A. Engelmayer
United States District Court Judge
U.S. District Court, Southern District of New York
500 Pearl Street,
New York, New York 10007

Dear Judge Engelmayer:

Re: Case No. 1:15-cr-00445-PAE-S
USA v. Echevarria et al.

I am respectfully writing to the Court with respect to the above-captioned case in which I am a defendant.

Your Honor, despite repeated requests to my attorney, I have not received all of the discovery pertaining to my case. Although I have been sentenced already, it has come to my attention that there are statements that were made by Mr. Jason Moya and related follow-up reports from Detectives from the 40th Precinct; as well as by Police Officer Julia Rosa's follow-up reports with respect to DNA swabs relating to a gun.

The cited gun is a 22 caliber Sport King rifle found at the scene of the alleged crime, tagged under Voucher # S12678. Based on said matter, I was charged and convicted due to a 2009 shooting incident - under section 924 (c). I believe the information that has not been provided to me contains exculpatory evidence related to me, including under the Jencks Act and pursuant to "Brady" violations.

I therefore respectfully request the entry of an order compelling my attorneys and/or the Government to confer and provide me all such requested materials. Thank you, Your Honor.

Jason Benjamin